

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **NOVEMBER 10, 2009**

Committee Members Present:

Supervisors Thomas
Kenny
Belden
Stec
Sokol

Committee Members Absent:

Supervisors VanNess
Tessier

Others Present:

Fred Monroe, Chairman of the Board
Joan Sady, Clerk of the Board
JoAnn McKinstry, Deputy Commissioner of
Administrative & Fiscal Services
Paul Dusek, County Attorney
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Champagne
Supervisor Girard
Supervisor O'Connor
Supervisor Pitkin
Supervisor Simmes
Supervisor Taylor
Rich Kelly, Personnel Officer
Todd Lunt, Director, Human Resources
Rob Lynch, Deputy Treasurer
William Lamy, DPW Superintendent
Shane Ross, Chief Deputy
Bob Swan, Undersheriff
Barbara Taggart, Administrator,
Westmount Health Facility
Sheila Weaver, Commissioner, Department
of Social Services
Bill Reese, Director, Employment & Training
Administration
Don Lehman, *The Post Star*
Nicole Livingston, Deputy Clerk

Mr. Thomas called the Personnel Committee meeting to order at 10:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve the minutes of the October 7, 2009 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Agenda review, Mr. Thomas apprised Items 1A through D were referrals from the Health Services Committee, Westmount Health Facility. He stated that Item 1A was a request to fill the vacant position of Director of Nursing, base salary of \$65,139, Employee No. 6837, due to retirement.

Mr. Belden questioned if this position was mandated by the State and Barbara Taggart, Administrator of Westmount Health Facility, replied affirmatively. She added that she could not run the Facility without a Director of Nursing. Mr. Sokol interjected that both the Director of Nursing and Item 1B, the Assistant Director of Nursing, were vital to the operations at Westmount Health Facility.

Mr. Thomas included Item 1B which was a request to fill the vacant position of Assistant Director of Nursing, base salary of \$58,701, Employee No. 1356, due to retirement.

Motion was made by Mr. Sokol, seconded by Mr. Kenny and carried unanimously to approve Items 1A and B as outlined above and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas said Item 1C was a request for the services of an Acting Head Nurse, on a temporary basis, at a pay rate of \$36.06 per hour.

Motion was made by Mr. Sokol and seconded by Mr. Kenny to approve the request as presented.

Mr. Kenny asked if the pay rate listed was the per diem rate and Ms. Taggart responded in the negative, noting that it was an hourly rate. Mr. Kenny further questioned if this included benefits and Ms. Taggart said no, it was for a temporary time period and would be part-time with no benefits.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 1C as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Thomas remarked that Item 1D was a request for an employee to enroll in a job-related course entitled "Microbiology" at Adirondack Community College (ACC), commencing September 8, 2009 through December 22, 2009 at a cost of \$664.65. Mr. Thomas reminded the Committee that a memo had recently been circulated to Department Heads advising that requests to enroll in job related courses must be presented and approved prior to the course commencing; however, he said, this particular matter had been discussed with the employee and the policy would be strictly enforced in the future.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve Item 1D as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Items 2A through D were referrals from the Public Safety Committee, Sheriff & Communications. Item 2A, he said, was a request to fill the

vacant position of Senior Account Clerk, base salary of \$31,323, Employee No. 10695, due to resignation.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve Item 2A as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas expounded Items 2B and C were requests to fill vacant positions and he listed them as follows:

- B) Request to fill the vacant position of Correction Officer, base salary of \$32,400, Employee No. 10060, due to resignation; and
- C) Request to fill the vacant position of Correction Officer, base salary of \$32,400, Employee No. 10919, due to resignation.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the requests as presented.

Mr. Belden questioned if these positions were mandated and suggested filling only one of the positions. Mr. Thomas remarked that one of the problems was the amount of overtime being utilized due the shortage of staff. Chairman Monroe commented that he had not seen the results from the requested comparison between Warren County's and Washington County's Corrections Facilities costs of operations and he questioned if that comparison had been completed. Mr. Kenny interjected that pursuant to his research, there was a \$2 million difference in the budgets of Warren and Washington Counties for the Corrections Facilities and Washington County also had 40% less employees in their Facility. Chairman Monroe stated that the comparison needed to be pursued. Mr. Stec recommended that these positions not be filled until the answers were received. Shane Ross, Chief Deputy, cautioned that the Warren County Corrections Facility was run differently than the Washington County Corrections Facility. He added that the main concern was the amount of overtime being used in the Corrections division. Mr. Geraghty confirmed that the County followed the rules of the New York State (NYS) Commission of Corrections and Chief Deputy Ross agreed.

Discussion ensued concerning staffing in the Corrections Facility. Mr. Belden expressed his opinion that he would like someone from the NYS Commission of Corrections Office to meet with the Committee and explain the mandates regarding staffing at the Corrections Facility.

Mr. Thomas called the question and the motion to approve Item 2B failed due to the lack of majority vote.

Mr. Thomas called the question and the motion to approve Item 2C failed due to the lack of majority vote.

Chairman Monroe stated if satisfactory information was obtained between now and the November 20th Board Meeting, those requests could be re-presented. Mr. Geraghty asked who would be responsible for obtaining the requested information and Joan Sady, Clerk of the Board, advised that she would do the necessary work to provide the desired information. Mr. Stec requested a written response to the questions posed by the Committee with regard to the cost of operations at Washington County Corrections Facility and he would like it signed by an elected official.

Mr. Thomas reported that Item 2D was a request from Bud York, Sheriff, to address the Committee; however, he noted Sheriff York was not present and Bob Swan, Undersheriff, would address the Committee.

Undersheriff Swan advised he had a request to fill the vacant position of Communication Operator, base salary of \$32,400. He explained that this request was to replace the loss of Maureen Rambone who passed away and he distributed a packet detailing the information to the Committee members, a copy of which is on file with the minutes. He noted that they had been using overtime to cover the position since July. Mr. Belden remarked that this item should have been brought to the Public Safety Committee in August.

Motion was made by Mr. Sokol, seconded by Mr. Belden and carried by majority vote, with Mr. Stec voting in opposition, to fill the vacant position of Communication Operator as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Continuing the Agenda review, Mr. Thomas apprised Items 3A through F were referrals from the Social Services Committee. Item 3A, he said, was a request to fill the vacant position of Social Welfare Examiner, base salary of \$29,199, Employee No. 10804, due to resignation.

Motion was made by Mr. Kenny and seconded by Mr. Sokol to approve Item 3A as presented.

Mr. Belden questioned if this was a mandated position and Sheila Weaver, Commissioner of the Department of Social Services (DSS) replied affirmatively. She further stated that the position was in the Third Party Health Insurance Program within the Medicaid Unit and was also 100% reimbursed.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 3A as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas added that Item 3B was a request to fill the vacant position of Caseworker, base salary of \$34,178, Employee No. 8272, due to resignation.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the request as presented.

Mr. Belden questioned if this position was mandated as well and Ms. Weaver responded in the affirmative. She noted that this position was in the Child Protective Services Unit and was 80% reimbursed. She added that there was an additional cost savings associated with this position because the individual that resigned had been in the position for sixteen years.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 3B as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas advised Item 3C was a request to fill the vacant position of Social Welfare Examiner, base salary of \$29,199, Employee No. 11578, due to resignation.

Motion was made by Mr. Kenny and seconded by Mr. Belden to approve the request as presented.

Ms. Weaver announced that this position was in the Temporary Assistance Unit and was 59% reimbursed. Mr. Geraghty questioned how many employees were in this Unit and Ms. Weaver informed there were six employees. She asserted that when she presented the reorganization plan for the Department, it was based on current case loads and the minimum staffing levels required to continue to provide services to the community.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 3C as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas stated Item 3D was a request to fill the vacant position of Van Driver, base salary of \$22,897, Employee No. 10644, due to resignation.

Motion was made by Mr. Kenny and seconded by Mr. Belden to approve the request as presented.

Mr. Kenny questioned if this position could be reduced to a part-time position and Ms. Weaver reported that this was a part-time position and was for the driver for the Veterans' Services.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 3D as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas added Item 3E was a request to create the position of Caseworker, base salary of \$34,178, effective November 1, 2009; thereby amending the Department's Table of Organization. He noted that this position was part of the proposed reorganization of the Department and was omitted on the Commissioner's original request.

Motion was made by Mr. Belden and seconded by Mr. Sokol to approve the request as presented.

Ms. Weaver advised that this position was in the Preventive Unit and was 65% reimbursed. She reminded the Committee that last month she had terminated the \$172,000 contract with Northeast Parenting because it was not mandated.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 3E as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Thomas remarked that Item 3F was a request to fill the vacant position of Caseworker, base salary of \$34,178, due to creation.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Item 3F as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas advised Items 4A and B were referrals from the Human Services Committee, Employment & Training Administration. Item 4A, he stated, was a request to fill the vacant position of Employment & Training Counselor, base salary of \$30,222, Employee No. 10239, due to resignation.

Motion was made by Mr. Sokol and seconded by Mr. Belden to approve the request as presented.

Mr. Belden asked if this position was necessary and Bill Resse, Director of Employment & Training Administration, replied affirmatively. Mr. Resse added that this position, as well as the next one listed on the Agenda, were 100% grant funded.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 4A as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas noted Item 4B was a request to fill the vacant position of Part-time Employment & Training Counselor, base salary of \$30,222 pro-rated, up to 30 hours per week.

Motion was made by Mr. Sokol, seconded by Mr. Kenny and carried unanimously to approve Item 4B as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas apprised Item 5 was a request from Paul Dusek, County Attorney, to address the Committee concerning longevity for non-bargaining unit employees.

Mr. Dusek explained that this item had been referred from the Health Services Committee following the discussions of the hiring of the Director of Nursing and the Assistant Director of Nursing. He further stated that the Supervisors had been discussing not having longevity for non-bargaining unit employees included as part of the payroll schedule in the future. He pointed out that he had advised that in the process of hiring, it would be important to state that longevity increases would not be included in their salaries. He noted that it had been mentioned that longevity be removed from all other non-bargaining unit positions.

Mr. Thomas expressed his opinion that new hires should not receive longevity payments in addition to their salary due to the budget crisis.

Motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously that longevity not be offered to new employees in the non-bargaining unit. The necessary resolution was authorized for the next board meeting.

Discussion continued concerning the removal of longevity payments to currently employed individuals in the non-bargaining unit. Ms. Weaver interjected, as Commissioner of DSS that had both bargaining and non-bargaining unit employees, she expressed her concern that as bargaining unit employees continued to receive raises and the non-bargaining unit employees did not receive longevity, it was possible that bargaining unit salaries would supercede those of her Deputy Commissioner and/or herself in the future.

Mr. Dusek expounded he had two additional items to discuss with the Committee. The first matter, he said, pertained to the request that he take over the supervision of the Attorneys in the DSS. He advised that part of the process required a resolution of the board authorizing such and also a letter from the Commissioner of DSS authorizing it as well.

Motion was made by Mr. Stec, seconded by Mr. Sokol and carried unanimously authorizing the County Attorney to assume the supervision of the Attorneys in the DSS and the necessary resolution was authorized for the next board meeting.

Mr. Dusek asserted the next matter for discussion concerned the eligibility requirements for health insurance in retirement. He stated that it had been brought to his attention that the requirement consisted of at least ten years total service in Warren County to retire and must retire under the NYS Retirement System and must also be enrolled in the Warren County health insurance plan at the time of retirement. He said that the issue arose because an individual had more than ten years and they were retiring and they were also enrolled in the health insurance plan; however, he noted, they were not retiring in the NYS Retirement System because they did not participate in that System. Mr. Dusek suggested that the requirements be modified slightly to state that the requirement would be for retirement under the NYS Retirement System or was collecting Social Security and who would otherwise be eligible to retire and receive benefits under the NYS Retirement System except for the lack of participation.

Motion was made by Mr. Stec, seconded by Mr. Kenny and carried unanimously to amend the eligibility requirements for health insurance in retirement as outlined above and the necessary resolution was authorized for the next board meeting.

Resuming the Agenda review, Mr. Thomas remarked that Items 6A through C were to be addressed by Todd Lunt, Human Resources Director. He noted Item 6A was for discussion of the extended Voluntary Furlough Program.

Mr. Lunt announced that the Program had been extended indefinitely and currently, the County had realized a savings of more than \$18,000. He requested to amend the attachment to the resolution which defined the usage of time. He explained that a question had arose as to why only five days had been allowed for 2009 and he said that the reason was because if an employee was off the payroll for over ten days in the States fiscal year of April 1st through March 31st, it could affect an employees service credit in retirement. He suggested that five days be offered for 2009, five days for the first six months of 2010 and five days for the last six months of 2010.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to authorize the amendment to Voluntary Furlough Program as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Lunt commented that Item 6B was a request to renew the agreement with National Employers Council (NEC) Inc., to continue the contractual relationship to assist in the administration of the unemployment insurance program.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the request as presented.

Mr. Geraghty questioned why the County was contracting for this service considering that it should be a component of the duties of the Human Resources Department. Mr. Lunt explained that NEC processed all of the paperwork for the unemployment claims

November 10, 2009

and responded on behalf of the County. Mr. Lunt added that the cost for contract was approximately \$2,000; however, he said, the bill was not received until March or April.

Following discussion, Mr. Thomas called the question and the motion was carried by majority vote, with Mr. Belden voting in opposition, to approve Item 6B as outlined above and the necessary resolution was authorized for the next board meeting.

Mr. Lunt advised Item 6C was a request to authorize agreements for health insurance effective December 1, 2009 as well as January 1, 2010 and establishing rates for coverage. He added that John Weber, President of Capital Financial Group, was present to discuss this topic and suggested that it be discussed during the Finance Committee in conjunction with a related item on the Finance Agenda.

Mr. Thomas referred to the Addendum to the Agenda and stated it was a referral from the Social Services Committee, requesting to appoint Suzanne F. Wheeler as Deputy Commissioner of the Department of Social Services effective December 7, 2009.

Motion was made by Mr. Stec, seconded by Mr. Kenny and carried unanimously to appoint Suzanne F. Wheeler as Deputy Commissioner of the Department of Social Services effective December 7, 2009 and the necessary resolution was authorized for the next board meeting.

Mr. O'Connor requested Ms. Weaver to introduce the new Deputy Commissioner at the December 18th Board of Supervisors Meeting and Ms. Weaver acknowledged the request.

Mr. Dusek requested an executive session to discuss a personnel contract issue dealing with Family Medical Leave.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:04 a.m. to 11:14 a.m.

Committee reconvened and Mr. Thomas noted that no action was necessary pursuant to the executive session.

Concluding the Agenda review, Mr. Thomas remarked that Item 7 included the Overtime Report which was attached for review. He suggested that the Committee members peruse the report at their convenience.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Stec, Mr. Thomas adjourned the meeting at 11:17 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk